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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/674,914 | |
| | Filing Date | September 30, 2003 | |
| | First Named Inventor | Bevil J. Hogg | |
| | Art Unit | 3736 | |
| | Examiner Name | Kristin D. Rogers | |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 5236-000452 |

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| Remarks: The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|----------------------------------|---------------|-------------------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name | Bryan K. Wheelock |
| | | Reg. No. | 31,441 |
| Signature | | | |
| Date | June 21, 2006 | | |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/674,914

Filing Date: September 30, 2003

Applicant: Bevil J. Hogg

Group Art Unit: 3736

Examiner: Kristin D. Rogers

Title: Method and Apparatus for Improved Surgical Navigation
Employing Electronic Identification with Automatically
Actuated Flexible Medical Devices

Attorney Docket: 5236-000452

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RESPONSE TO RESTRICTION / ELECTION REQUIREMENT

This is in response to the Restriction / Election Requirement of June 1, 2006

REMARKS

In response to the Restriction Requirement in the Office Action of June 1, 2006,
Applicant elects Invention 1, claims 1-17 and 23-41.

In response to the Election of Species Requirement in the Office Action of June
1, 2006, applicant respectfully submits that the election of species is improper and
should be withdrawn. Even though the various species may be patentably distinct, the